REMARKS

Reconsideration of the pending patent application is requested in view of the amendments to the claims and specification, which are remarked below.

Objection to the Specification

Applicant has corrected the informalities on page 6, line 7, page 7, line 21, page 8, lines 18-20, page 9, line 27, and page 7, line 10, as indicated by the Examiner. Approval is requested.

In response to the "new matter" objection of "interpolation," claim 25 is amended to refer to "extrapolation," which is described in the original disclosure on page 7 line 1. Approval is requested.

Objection to the Claims

Claim 26 is amended as instructed by the Examiner.

Claim Rejection under Sec. 112

In response to the Examiner's comment, claim **16** is amended to recite the predetermined message being sponsored by a third party within a predetermined distance from the Internet client. The amended feature is disclosed in: page 3, lines 21-23, and page 7, lines 13-20. Approval is requested.

Claim **18** is amended to correct the antecedent basis, as well as recite receiving the attribute from the visitor who invokes the applet. It is respectfully noted that for an applet to be invoked during operation, it must have asked for and received the requisite information from the visitor. In this case, it is the relevant geographic or location information solicited from the visitor. For example, a weather applet may collect location information from a user when the user invokes the applet to find out about the weather condition in his area. In a sense, the applet entices the users to voluntarily submit their information by offering certain geographically-oriented benefits, e.g. weather, interest rate, traffic or sales (Specification, pg. 6, lines -15). Approval is requested.

Claim **21** is amended to clarify that while the user's physical location is not readily known, the location could still be determined if the unique string could be identified and compared with the lookup table. To answer the Examiner's query, Applicant submits that what is "not immediately known" does not necessarily mean it cannot be "looked up" or "approximated." For example, one may not immediately know where an area associated with the zip code "91765" is. However, upon looking up a booklet or advertisement containing addresses associated with zip codes "91770" and "91750", one may have a general idea as to the approximate location of the area in question.

In claim **22**, the Examiner queried that it is unclear how a cookie will let the system approximate a location of the user. Applicant respectfully submits that a cookie, as is well-known, could be stored on the client side by a web server, for future identification of the client. Therefore, to derive an approximated geographical location of an Internet client, it may be based on either the IP address with reference to the look-up table, or a cookie at the client side. The cookie provides more precise information since it indicates a "repeat visitor" whose approximate location is probably already derived.

Claim **27** is amended to correct the antecedent basis for 'a third party.'

Sec. 102 Rejection of Claims 22, 23 based on Merriman.

Claims 22-23 are rejected by the Examiner under Sec. 102 as being anticipated by Merriman. Applicant respectfully traverses the rejections.

First, Merriman relies on "nslookup," which focuses on the server, not the users. As such, Merriman cannot reach behind firewalls of servers such as AOL. Also, Merriman does not disclose a database with IP address correlated with location/geography information. Nor does Merriman disclose the use of geographically-oriented applets to collect geographical information voluntarily submitted by the users when invoking the applets. Finally, when a new IP is presented, Merriman cannot generate an approximated location information, by using the database of IP addresses correlated with IP addresses. (Merriman, col. 5, lines 37-42).

The claimed invention can derive an approximate location based on any IP address provided by the user. Essentially, the invention builds an ever-growing database of IP address correlated with geographical information, where the geographical information is "voluntarily" submitted by the users of the Applet. Therefore, by using the database, or lookup table, all that is required is an IP address to allow the system to approximate the location. Merriman simply cannot make such approximation or extrapolation, since it has to know the address already.

Merriman clearly does not disclose at least the following steps:

"providing a database correlating IP addresses with geographical information, said geographical information having been collected from users of geographically-oriented applets;

....

detecting an IP address of said Internet client when said Internet client visits said web site server, said Internet client's geographical location being not immediately known to said web site server;

deriving an approximated geographical location of said Internet client based on one of said IP address and a stored cookie, by comparing with the correlated IP addresses in said database;

transmitting a first electronic message to said Internet client through said web site server, wherein said first message is related to said Internet client's approximated geographical location after deriving."

For the above reasons, claims 22-23 are clearly not anticipated by Merriman and the Examiner's Sec. 102 rejections should be withdrawn.

Sec. 103 Rejection of Claims 15, 16, 18, 20-22, 24, 25 based on Parekh in view of Naidoo.

Claims 15, 16, 18, 20-22, 24, 25 are rejected by the Examiner under Sec. 103 (a) as being unpatentable over Parekh in view of Naidoo. As will be discussed below, Applicant respectfully traverses the Examiner's rejection.

With respect to Parekh, it does not disclose the use of "geographically-oriented applets" to get the users to voluntarily submit their location information in exchange for certain location-related benefits or information. For example, a weather applet is more likely to get the user to voluntarily submit a zip code or city name, in order to receive weather information. In such a case, the zip code or city name is more likely to be the user's physical location, in the long run. More significantly, a polygon is constructed to resolve multiple entry conflicts, which is clearly not disclosed by Parekh.

Parekh's IP address collection process is also focused on the host, domain and servers, instead of the users or clients. As such, Parekh's application is quite limited in today's world where very few people have the same IP address as their host or server, thus rendering Parekh's system less relevant.

With respect to Naidoo, its geocoding is done to the registration information, which is static. As such, Naidoo's users still need to log in after they register. Naidoo's geocoding thus does not reflect the true location or dynamic location of the users, and it uses registered information to determine location. Naidoo will not work if the user accesses the network from a different or away location, since the location will be different from the user's registered information. Moreover, Naidoo does not disclose the use of "IP addresses," since Naidoo relies on the registration scheme where the users provide the physical address. Every time the location is needed, it is looked up from the registration information. Cookie for Naidoo is also not used, since the user has to log-in each time, thus obviating the use of a cookie.

In view of the above discussion, the combination of Parekh and Naidoo would result in a system that is still quite different from and inferior to the claimed invention. The combined system still would not be able to know the location, since Naidoo's registration information is not the real-time information. Even if Naidoo does the geocoding, it cannot generate the approximate location, in real-time, of the user, since

the user would not always be at the same registered location.

Applicant has amended the claims to clarify the claimed invention. In view of the above Remarks, the Examiner's Sec. 103 rejection based on Parekh in view of Naidoo is misapplied and should be withdrawn.

Sec. 103 Rejection of Claims 17, 19, 23, 27 based on Parekh in view of Naidoo and Merriman.

Claims 17, 19, 23, and 27 are dependent claims of 15, 15, 22, and 17 respectively, where claims 15 and 22 have been discussed above with reference to Parekh and Naidoo. Applicant respectfully directs the Examiner's attention to the preceding sections regarding Parekh, Naidoo and Merriman. With respect to Naidoo, while zip codes are known to be used for targeting to location, Naidoo's zip codes are based on static registration information, which are not dynamically derived based on the user's IP address. Even if Merriman's click-through is combined with Parekh and Naidoo, it still would not make the claimed invention obvious.

The rejection of claims 17, 19, 23, 27 should be withdrawn.

Sec. 103 Rejection of Claim 26 based on Parekh in view of Naidoo and further in view of Eldering.

Claim 26 is a dependent claim of claim 24, which has been discussed with reference to Parekh and Naidoo. Applicant respectfully directs the Examiner's attention to the sections above. Even if Eldering is combined, the resulting system still would not render the claimed invention obvious.

The rejection of claim 26 should be withdrawn.

<u>Conclusion:</u>

Withdrawal of the rejections is respectfully requested, in view of the amendments and the Remarks above.

The Examiner is encouraged to contact the undersigned Attorney to discuss any matter relating to the present application.

Respectfully submitted,

By _____

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